
UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

EUGENE ELLIS, §
TDCJ 753358, §
Plaintiff, §
§
versus § CIVIL ACTION H-09-1707
§
§
BRAD LIVINGSTON, ET AL., §
§
§
Defendants. §

Opinion on Dismissal

Eugene Ellis moves for dismissal under FED.R.CIV.P. 41(a). Ellis's Motion for Voluntary Dismissal (8) is granted. This case is dismissed without prejudice. The fee collection order (7) is vacated. No further withdrawals shall be made from Ellis's prison trust fund account (TDCJ 753358) to collect filing fees in this case.

The clerk will send a copy to the Inmate Trust Fund, P.O. Box 629, Huntsville, Texas 77342-0629, fax 936-437-4793.

Signed July 29, 2009, at Houston, Texas.



Lynn N. Hughes
United States District Judge